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June 2, 2023

Honorable Judge Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

RE: Boalds v. Khan, 23-cv-3327

Dear Judge Engelmayer:

I am incoming counsel for defendant Sumon A. Khan, and I write with the consent of incoming plaintiff's counsel. Both plaintiff and defendant are in the process of substituting counsel in light of the transfer of this matter to the Southern District. There has been some delay in final execution of the substitutions of counsel for both plaintiff and defendant, but the parties expect this paperwork to be finalized shortly so that it can be filed with the Court. Once the stipulations are fully executed, incoming counsel who will be handling discovery going forward will be able to submit a proposed case management order.

Accordingly, the parties respectfully request that Monday's initial case management conference be adjourned three weeks so that the substitutions of counsel can be finalized and filed with the Court. This is the parties' first such request for an adjournment. As it is the initial conference, there are currently no discovery deadlines that have been set by this Court that would need to be similarly adjourned.

Should you have any questions or concerns, please do not hesitate to contact the undersigned.

Respectfully Submitted,

BARRY MCTIERNAN & MOORE LLC

Courtney Chadwell, Esq.

cc: (Via ECF) All Counsel of Record

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The Court grants the request to adjourn the initial conference, and reschedules the telephonic conference for June 28, 2023 at 10 a.m.

The Court is dismayed, however, by the parties' failure to address or submit the joint letter directed at docket 13—would must clarify, critically, the factual basis for subject matter jurisdiction. The parties are ordered to submit a joint letter providing the specific information outlined at docket 13 by June 9, 2023.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge
June 2, 2023